

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 EB-07 COME-00 TRSE-00 DLOS-06 INT-05 CG-00

DOTE-00 /083 W

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R 191724Z AUG 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 1220

INFO AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY MOSCOW

USMISSION EC BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 13910

E.O. 11652: GDS

TAGS: EFIS, GW

SUBJECT: FISHERY CONSERVATION AND MANAGEMENT ACT AND
GERMAN REACTIONS

REF: (A) BONN 13261; (B) STATE 174677

1. UPON FRG INITIATIVE, EMBOFF AND AGATT DISCUSSED
THE FISHERY CONSERVATION AND MANAGEMENT ACT (PL 94-265)
WITH AGMIN ASSISTANT SECRETARY PIRKMAYR AND AGMIN
FISHERY EXPERTS.

2. PIRKMAYR WAS PROMPTED BY THE ANNOUNCEMENT OF A
POLISH-U.S. FISHERY AGREEMENT TO CALL US IN TO FIND OUT
WHETHER THE FRG WAS BEING LEFT BEHIND IN A SCRAMBLE
FOR FISHING RIGHTS IN U.S. WATERS. EMBOFF TOLD
PIRKMAYR THAT THE U.S. HAD SIGNED A GOVERNING INTER-
NATIONAL FISHERY AGREEMENT WITH POLAND WHICH DID NOT
SET ALLOWABLE CATCHES. THIS WAS RATHER THE FIRST STEP
IN ESTABLISHING U.S. JURISDICTION OVER THE 200 MILE
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ECONOMIC ZONE. OTHER COUNTRIES WISHING TO FISH IN

U.S. WATERS WOULD BE REQUIRED TO SIGN SIMILAR AGREEMENTS.

3. AGMIN FISHERY SPECIALISTS WERE CONCERNED ABOUT THE EFFECTS PL 94-265 WOULD HAVE ON FOREIGN INPUT INTO THE ESTABLISHMENT OF ALLOWABLE CATCH QUOTAS. SINCE AUTHORITY FOR ALLOWABLE CATCH DECISIONS RESTS WITH THE SECRETARY OF COMMERCE IN COOPERATION WITH THE FISHERY COUNCILS, THEY ASKED, WHAT WILL PREVENT THE SETTING OF ARBITRARY OPTIMUM YIELDS WITHOUT REGARD FOR THE IMPACT UPON FOREIGN FISHING. AGMIN OFFICIALS BELIEVED THEY HAD SEEN A PRECURSOR OF SUCH ARBITRARINESS IN U.S. ICNAF QUOTA PROPOSALS WHICH, THEY CLAIMED, WOULD HAVE FORCED FAST RATES OF FISHERY RECOVERY ON FOREIGN FISHING WHILE U.S. FISHERMEN HAD THE LUXURY OF SLOWER RECOVERY RATES AND THUS HIGHER CATCH QUOTAS. EMBOFF IN REPLY STATED THAT THE DECEMBER WORKING GROUP WILL DISCUSS THE FUTURE OF ICNAF AND A RENEGOTIATED ICNAF COULD ESTABLISH A SCIENTIFIC CONSULTATIVE BODY AND A FORUM FOR INTERNATIONAL COOPERATION (REFTEL B). IN THIS WAY THE FRG COULD ASSIST IN DEVELOPING A BODY OF FISHERY INFORMATION AND COULD CONTACT U.S. FISHERY OFFICIALS REGULARLY.

4. PIRKMAYR EMPHASIZED THAT, GIVEN THE UNDER-DEVELOPED STATE OF FISHERY DATA, ANY U.S. OPTIMUM YIELD DECISION WILL NECESSARILY BE POLITICAL. HE URGED THE U.S. TO BE FORTHCOMING IN SETTING QUOTAS FOR THE FRG AS OPPOSED TO THE EAST EUROPEANS AND RUSSIANS. EMBOFF OUTLINED THE CRITERIA ESTABLISHED BY PL 94-265 FOR JUDGING WHICH FOREIGN NATIONS WILL BE GIVEN PREFERENCE IN ALLOCATING THE SURPLUS U.S. CATCH. IN RESPONSE, AGMIN OFFICIALS SEEMED CONVINCED THAT THE GERMAN FISHING FLEET HAS A GOOD RECORD OF COOPERATION AND THUS SHOULD RECEIVE

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 13910

PREFERENTIAL TREATMENT.

5. PIRKMAYR ASKED SEVERAL TIMES WHETHER ANY POSSIBILITY EXISTED FOR CONCLUDING A BILATERAL AGREEMENT WITH THE U.S. WHICH WENT BEYOND A GOVERNING INTERNATIONAL FISHERY AGREEMENT AND ESTABLISHED SPECIFIC CATCH QUOTAS. EMBOFF ASSURED HIM THAT U.S. NEGOTIATORS HAD NO MANDATE TO SET QUOTAS AND THAT THE MECHANISM IN PL 94-265 COULD NOT BE AVOIDED. IN THIS CONNECTION, AGMIN OFFICIALS SEEMED TO REGARD FUTURE SOVIET SIGNING OF A GIFA AS VERY IMPORTANT IN ESTABLISHING THE CREDIBILITY OF THIS FORM OF AGREEMENT.

6. AGMIN OFFICIALS INQUIRED ABOUT THE POSSIBILITY OF JOINT FISHING VENTURES WITH U.S. FIRMS AS A WAY OF EMPLOYING GERMAN FISHING VESSELS.

EMBOFF STATED THAT THERE WAS NO POSSIBILITY FOR SUCH JOINT VENTURES AND SUBSEQUENTLY CONFIDENTIAL

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PASSED ON TO AGMIN OFFICIALS THE SUBSTANCE OF A PREVIOUS MESSAGE, STATE 233558, OCTOBER 1975, REGARDING U.S. LAW ON THE SUBJECT.

7. AGMIN OFFICIALS EXPRESSED INTEREST IN HAKE FISHING IN THE PACIFIC AGAIN. HOWEVER, THEY SEEMED TO HAVE NO STOMACH FOR ADDITIONAL FISHING PROBLEMS AT THE MOMENT AND PROBABLY WILL NOT FOLLOW UP ON PREVIOUS EXPLORATIONS IN THIS AREA.

8. DURING OUR CONVERSATION, AGMIN OFFICIALS MENTIONED THAT 6-7000 FISHERMEN WERE EMPLOYED IN THE FRG IN

COASTAL AND HIGH SEAS FISHING. TOTAL FISHING-RELATED
EMPLOYMENT IS ESTIMATED AT 35-40,000 OF WHICH TWO-
THIRDS ARE DEPENDENT ON HIGH SEAS FISHING. ALTHOUGH
EMPLOYMENT IS NOT HIGH, AGMIN OFFICIALS EMPHASIZED
THAT THE INDUSTRY IS CONCENTRATED IN A COASTAL AREA
WHICH OFFERS LITTLE OPPORTUNITY FOR OTHER EMPLOYMENT.
EMPLOYMENT OF FRG FISHING VESSELS ALSO CONCERNS AGMIN
OFFICIALS SINCE THE INDUSTRY HAS A CONSIDERABLE INVEST-
MENT TIED UP IN THE HIGH SEAS FISHING FLEET.
HILLENBRAND

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